

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMMA C. et al.,

Plaintiffs,

v.

DELAINE EASTIN, et al.,

Defendants.

NO. C96-4179 TEH

ORDER TO MEET AND
CONFER RE DISTRICT'S
FILING SYSTEM

At the status conference held on June 30, 2010, the Court Monitor and counsel for the District addressed issues concerning the availability of student files for the Court Monitor's review. The District represented that the unavailability of student files had negatively affected its performance in the Court Monitor's report for the third quarter of the 2009-10 academic year, and asserted that the files in question were unavailable for "legitimate reasons," i.e. having been pulled for review by District personnel. The Court ordered the Court Monitor to draft a filing procedure for the District, and to submit the procedure to the Court as a proposed order. The Court intended such a procedure to account for files that have been temporarily removed from their permanent location, to ensure the accessibility of files for the Court Monitor's review, and to address any other concerns regarding the integrity of the District's filing system.

If the parties are able to resolve the filing issue without direct Court involvement, the Court's order will be satisfied by the development of a District filing policy that is endorsed by the Court Monitor. Therefore, with good cause appearing, IT IS HEREBY ORDERED THAT the District and the California Department of Education ("CDE") shall meet and confer to develop a District filing policy that calls for prompt filing of documents, accounts for the location of all files at all times, and addresses any other concerns raised by the Court Monitor or the parties. The District and CDE may meet and confer on their own or include

1 the Court Monitor, should his participation be desired or necessary. Any disagreements shall
2 be submitted by the parties to the Court Monitor for resolution. The draft policy shall be
3 submitted to the Court Monitor and Plaintiffs for review no later than **July 30, 2010**. The
4 policy shall be subject to the Court Monitor's approval, and shall be implemented by the
5 District once so approved.

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7 **IT IS SO ORDERED.**

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10 Dated: 7/14/10



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT